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Application No. 10/765,754
Filed: 1/27/04
TC Art Unit: 3737
Confirmation No.: 1899

REMARKS

Please note the amendment of claims 1 and 6, the cancellation of claims 10-18 and the addition of new claims 19-38.

The double patenting rejection of claims 1-18 is believed to be obviated in view of the above amendment of the claims. The rejection of the claims under 35 U.S.C. 103(a) based on Kittrell, Muller and Williamson, as well as Wyatt and Alfano, is believed to be obviated in view of the above amendments. The claims now recite the use of a catheter that delivers infrared light in a radial direction as illustrated, for example, in Fig. 16A of the application. The cited references fail to each or suggest such a "side looking" catheter.

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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